

REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS FEBRUARY 9, 2018

The Jasper County Commissioners met this date at 8:00 A.M. C.S.T., in the Commissioners Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Kendell Culp and Richard E. Maxwell. Let the record show that James A. Walstra was absent. Also present were Auditor Kimberly K. Grow, Deputy Auditor Tina Porter and the Attorney that represents the Commissioners, Eric J. Beaver. The meeting was called to order and those present stood and recited the Pledge of Allegiance led by Mr. Miller.

CLAIMS: Mr. Maxwell made a motion to approve the claims as presented. Mr. Culp seconded and the motion carried.

PAYROLL CLAIM & ALLOWANCE DOCKET: Mr. Maxwell made a motion to approve the Payroll Claim & Allowance Docket for the check dates equal to January 12, 2018 and January 30, 2018. Mr. Culp seconded and the motion carried.

MINUTES: Mr. Maxwell made a motion to approve the minutes from the Joint Session with the Council December 19, 2017, the Regular meeting December 27, 2017, the Regular meeting January 2, 2018, the Executive Session January 2, 2018 and the Continued meeting January 5, 2018. Mr. Culp seconded and the motion carried.

BURIED CABLE: Mr. Maxwell made a motion to approve the following buried cable request from Northwestern Indiana Telephone Company. Mr. Culp seconded and the motion carried.

Permit No 750 For the purpose of installing fiber optic cable from County Road 1000 West along County Road 700 North to the dairy.

COMMUNITY CROSSINGS MATCHING GRANT APPLICATIONS: Mr. Haberlin brought the applications to be resigned.

NORTHWEST SOLID WASTE TIRE RECYCLING: Mrs. Ackerman stated that she received a call from Mrs. Stradling, who was inquiring if the County will be accepting tires. Northwest Solid waste will furnish six trailers at their expense; however, the County would be responsible for providing the labor. Mrs. Ackerman suggested collecting tires the entire week prior to the Saturday collection day. She will find out from Mrs. Stradling which Saturday we would be scheduled for, September 15 or September 22. Mr. Maxwell made a motion to accept tires on the Saturday that is designated as hazardous waste collection for Jasper County, as well as the week prior, during business hours. Mr. Culp seconded and the motion carried. This will be done with Jasper County's labor. The same charges apply that we've had in place in the past.

NIPSCO / SECOND AMENDMENT TO FINANCING AGREEMENT: Mr. Ghaznavi was present with Mr. John Nassos. He asked the Commissioners if there were any questions in regards to the financing agreement. Mr. Culp replied that he heard Mr. Ghaznavi's presentation at the Council meeting. He asked Attorney Beaver if he has any updates. After confirming with Mr. Ghaznavi that there have been no changes since the documents were emailed to him, Attorney Beaver stated that the changes looked to be extremely minor. Mr. Ghaznavi stated that this amendment will allow NIPSCO to convert from a corporation to an LLC and in response to a question from Attorney Beaver, stated that it does not affect the underlying transaction. Attorney Beaver asked Mr. Ghaznavi if NIPSCO would cover the County's attorney fees. Mr. Ghaznavi replied that he does not have an issue with that. He then informed Attorney Beaver that he will mail him a fully executed in pdf form. Mr. Maxwell made a motion to approve the amendment. Mr. Culp seconded and the motion carried.

EDWIN BUSWELL / KIRPC / WHEATFIELD TOWNSHIP GRANT: Mr. Buswell was present for approval and signatures on a resolution that authorizes the application and the local match for the grant. The second item presented for approval is the Fair Housing Ordinance. The total amount of the grant is \$500,000.00. Mr. Maxwell made a motion to approve the resolution. Mr. Culp seconded and the motion carried. The application is due today, February 9th. The decision will be made April 5, 2018.

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EDWIN BUSWELL / KIRPC / WHEATFIELD TOWNSHIP GRANT: Attorney Beaver stated that OCRA requires that the County have a Fair Housing Ordinance that complies with certain requirements of federal law. The County has not been an applicant for an OCRA grant since the federal laws were changed in 2012. He believes the last time the County passed a fair housing ordinance was in 1993. Mr. Culp briefly listed items covered under the ordinance. Mr. Maxwell made a motion to approve the ordinance. Mr. Culp seconded and the motion carried. **Ordinance Number 2-9-2018A**

SHERIFF RISNER / REQUEST TO FILL POSITION: Sheriff Risner was present to request permission to fill a vacancy for a 911 Communications Officer. This position is currently funded. He also requested permission for a part-time employee to move to full-time. He said he is short two part-time employees. Mr. Maxwell made a motion to approve the filling of one full-time and two part-time positions. Mr. Culp seconded and the motion carried. Sheriff Risner gave the Commissioners the jail inspection report. There was mention in the inspection of the shortage in manpower with the Correctional staff and it was also recommended that the fire extinguishers be inspected on a monthly basis by a staff member. Mr. Culp congratulated him on the results of the inspection. Sheriff Risner provided the Commissioners with copies of the In-house 2017 jail report that is required by statute. He said the average length of stay is twenty-six days. The average daily population is eighty-four. They served eighty-nine thousand two-hundred and fifty meals at an average cost of \$1.42 per meal. State statute allows \$1.86. The Sheriff's Department was able to return about \$39,000.00 in claims to the County. He said that all nutritional standards were exceeded. The matrons try to buy in bulk to cut costs and use local vendors when possible. He then presented the Equitable Sharing Agreement. Chief Deputy Williamson completes the report each year and has filed this years' report electronically. Mr. Culp signed the report.

HONEYWELL / JAMES ZELLMAN: Mr. Zellman was present to update the Commissioners on the current progress of the scope development phase of the guaranteed energy savings contract development. He requested that the Commissioners sign the project development agreement, which covers the phase after selection and before contract signing. Mr. Zellman stated that Attorney Beaver modified the agreement. He said that he is authorized to counter-sign for Honeywell. He explained that Exhibit B is an expected timetable based on all the events that need to occur and the fact that regular meetings occur with both the Commissioners and the Council. He said he intends to present to the Council at their next meeting. He will be requesting that the Council put together a committee of individuals that can meet with Honeywell offline and report back to each board separately. He believes this will result in more being accomplished. After discussions, Honeywell would then provide summaries to the Council and Commissioners. Mr. Culp stated that, along with one Commissioner, Auditor Grow, Mr. Carney and Mr. Flick would be on the board along with two members appointed by the Council. Mr. Zellman stated that he will need to be on every agenda through May. Mr. Maxwell made a motion to sign the Project Development Agreement with Honeywell. Mr. Culp seconded and the motion carried. Mr. Zellman gave a rundown on what current efforts have been. They've brought a lighting subcontractor through the Courthouse, the Annex, the Extension Office and the Highway Department. They've brought a building envelope subcontractor through all facilities except the Highway Department. Honeywell's Engineer will be bringing a mechanical firm through each of the facilities within the next two weeks. Mr. Culp asked Mr. Zellman if he's communicating directly with Mr. Carney and Mr. Flick and he replied that he is. He said he met with Mr. Carney and Mr. Flick the previous day with the Project Manager, Mr. Dale Christy.

QUOTES FOR WINDOW REPLACEMENT / PROBATION DEPARTMENT: Mr. Culp stated that the windows would be paid for out of Probation Funds. The first quote is from Select Window in the amount of \$4,300.00. The second quote is from Precision in the amount of \$7,740. The quotes are for the same type of window and the same warranty, etc. Mr. Maxwell made a motion to approve the quote from Select Window. Mr. Culp seconded and the motion carried. The quote states that thirty-five percent down is due. Mr. Maxwell stated that he would inform Select Window that the County does not make down payments.

GUTS CONTRACT: Treasurer Donya Jordan submitted a two year renewal contract for the lock-box. Attorney Beaver stated that, at her request, he reviewed the contract and does not have any problems with it. Mr. Culp stated that he'd like to talk to Mrs. Jordan regarding this.

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TRAINING REQUEST / IT: Mr. Culp stated that Mr. Batley asked him for permission to attend a complimentary seminar on February 1, 2018. Mr. Maxwell made a motion to approve Mr. Batley's attendance at the seminar. Mr. Culp seconded and the motion carried.

TRAINING REQUEST / VETERAN'S OFFICE: Mr. Maxwell made a motion to approve a training request for Mr. Donnelly and Mr. Woodcock for July 9, 10 and 11 in Edinburgh for the annual County Veteran Service Officer Training. Mr. Culp seconded and the motion carried.

GUTS CONTRACT: Mr. Culp asked Mrs. Jordan if she is satisfied with the lockbox and she replied that she is. The contract is for two years, billed \$8,200.00 semi-annually. Mr. Maxwell asked Mrs. Jordan to explain the purpose of the lockbox. She said that the tax bills can be mailed to Indianapolis to the post office box, as opposed to being mailed to the County Treasurer's Office. This would only occur for two weeks in the fall and three to four weeks in the spring. The company that handles the box would process the mail and guarantee deposit that night. She stated that, during her previous term as Treasurer, they were spending \$20,000.00 on part-time help that they don't currently have. Also, when processing payments in the Treasurer's Office, payments would sometimes sit for one week prior to getting posted. Mr. Maxwell made a motion to approve the lockbox with GUTS. Mr. Culp seconded and the motion carried.

TRAINING REQUEST / SURVEYOR: Mr. Maxwell made a motion to approve a request from Mr. Urbano to attend the annual road school March 5-8 in Lafayette. Fees include parking, luncheon, hotel and meals. Mr. Culp seconded and the motion carried.

TRAINING REQUEST / CLERK: Mr. Maxwell made a motion to approve a request from Mrs. Bozell for her and one clerk to attend the Indiana District Clerk's meeting on March 7-8 in Lafayette. Costs will include registration fees. Mr. Culp seconded and the motion carried.

TRAINING REQUEST / TREASURER: Mr. Maxwell made a motion to approve a request from Mrs. Jordan for herself and Deputy Ms. McEwan to attend the Spring Association meeting in Carmel on March 7. The registration fee is \$35.00 each. Mr. Culp seconded and the motion carried.

BOND / PROSECUTOR: Mr. Maxwell made a motion to approve the bond for Christine Bogan. This was previously approved under her maiden name of Haskell. Mr. Culp seconded and the motion carried.

BOARD OF HEALTH APPOINTMENT: Mr. Maxwell made a motion to appoint Roberta Jeffries to the Board of Health. Mr. Culp seconded and the motion carried. Mr. Culp stated that Mrs. Jeffries is a Democrat. Both political parties have to be represented on the Health Board.

SOLID WASTE APPOINTMENTS: Mr. Culp and Mr. Maxwell signed the form for the solid waste appointments. The appointments were made at their previous meeting.

COMMUNITY CORRECTIONS BOARD APPOINTMENT: Mr. Culp stated that the State has added additional members to the Community Corrections Board. Mr. Maxwell made a motion to appoint Jared Courtney as the Judicial Probation Officer. Mr. Culp seconded and the motion carried.

FIRST MERCHANTS BANK: Auditor Grow stated that First Merchants Bank would like approval to send out a flier about opening a new checking account with First Merchants to all County employees. Mr. Culp asked if this has any correlation with the County's direct deposit and she replied that it does not. Mr. Culp and Mr. Maxwell would prefer to hold off on this.

RENTAL OF TOWER SPACE: Deputy Tina Porter gave the Commissioners a copy of the minutes from February 9, 2015 when the tower space rental was approved. She said that, according to Deputy Linda Armstrong, the County has not received payment for the rent as far as she's aware; however, this was also prior to her taking over that position. Mr. Culp stated that he thought Mr. Schultz informed him that he came in when the agreement was signed and paid for the year. Mr. Culp stated that he's not sure if we are supposed to be billing Mr. Schultz. Auditor Grow stated that, if he paid, he should've received a quietus.

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RENTAL OF TOWER SPACE: Mr. Culp stated that Mr. Schultz has agreed to let the County tap in to the electric that is located on the tower in the County parking lot. Mr. Maxwell suggested that Mr. Schultz be sent a bill for two years of rent. Mr. Culp stated that a little more research needs to be done.

GOV PAY NET: Attorney Beaver presented the Commissioners with a county-wide master contract for GovPayNet. The Treasurer's Office; however, has a different vendor and this contract allows for that to continue. Mr. Maxwell made a motion to approve the contract with GovPayNet to allow the County offices to accept credit card payments. Mr. Culp seconded and the motion carried.

CITIZEN TOM MATHIS: Mr. Mathis was present and stated that he had some questions regarding the criteria and standards for property splits. He said he's found properties all over the agricultural district that do not comply with the developmental standards for the lot size for that district. He mentioned the Manns property and stated that he doesn't think people that aren't complying should have the same rights as people that are complying. He asked why this is happening. Mr. Culp replied that, he doesn't have specific answers as he does not have specific information about the parcels Mr. Mathis is referring to. He said there's a chance the properties could have been grandfathered. If a property owner wants to make modifications to their property and there isn't enough frontage, they would have to request a variance. Mr. Mathis stated that the Bontreger property that is the subject of Teen Challenge is in an agricultural district. He then mentioned a rezone request from John Hoek from years ago and a request from MaxL Farms. He questioned why rezone requests are granted to people that don't even own the property. He said he is concerned that the rezone request originally scheduled for today that has been postponed. He said when he first heard about it from planning and development, it was 220 acres and now he sees that it has increased. He stated that we should not allow legal non-conforming uses for Cambe when, for example, Mr. DeYoung has to comply. He said he does not want to subsidize legal non-conforming uses and the County should not be creating them, but instead should be getting people to comply with the code. He said Mr. Hoek has a habit of not wanting to comply with the code and applies for variances frequently. Mr. Culp stated that he wanted to clarify one thing that was stated that was inaccurate. He said that the Teen Challenge property is the Benjamin Harris Homes property, not Mr. Bontreger's property. Mr. Maxwell stated that the property has been in the name of Harris Homes for years.

Mr. Mathis requested that the Commissioners provide email addresses to the public. Mr. Culp replied that he thinks it's already been done. Mr. Maxwell stated that his personal will not be given out. Mr. Mathis mentioned Lake County, who has .gov sites and Mr. Maxwell replied that Lake County Commissioners are full-time.

PUBLIC COMMENT: An individual in the audience asked when the next meeting is and she was told March 5th at 8:15.

There being no further business and no other public comment, this meeting is adjourned.

Kendell Culp, President

James A. Walstra, Vice President

Richard E. Maxwell, Member

Kimberly K. Grow, Auditor of Jasper County

